

MAR 04 2004

Glenn Patent Group  
3475 Edison Way, Suite L  
Menlo Park CA 94025  
Tel: 650 474 8400  
Fax 650 474 8401  
Customer Number 22,862

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I hereby certify that this paper and the papers and/or fees referred to herein as attached are being transmitted via facsimile to the United States Patent and Trademark Office, Technology Center 3700, at facsimile number (703) 872-9303 on March 4, 2004.

Date of Deposit:	3/4/2004	Name of Person Making the Deposit:	Rhonda Dunn	Signature of the Person Making the Deposit:
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In re Application of MAKAREWICZ et al.

Application No: 09/954,856

Filed: September 17, 2001

Atty. Docket No: IMET0066

Art Unit: 3736

Examiner: KREMER, Matthew J.

Title: METHOD AND APPARATUS FOR MINIMIZING  
SPECTRAL INTERFERENCE DUE TO WITHIN  
AND BETWEEN SAMPLE VARIATIONS DURING  
IN-SITU SPECTRAL SAMPLING OF TISSUE

March 4, 2004

Commissioner for Patents  
Mail Stop Non Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Final Office Action Response and Amendment

To: United States Patent and Trademark Office  
Fax: (703) 872-9306  
Attention: Matthew Kremer, Technology 3700, Art Unit 3736

Pages (including coversheet): 17

Attached to this facsimile coversheet please find the following documents:

1. RCE (1 sheet, in duplicate for accounting purposes);
2. Petition for Extension of Time (1 sheet, in duplicate for accounting purposes);
3. Preliminary Amendment (12 pages)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In re Application of MAKAREWICZ et al.

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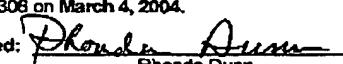
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Signed:   
Rhonda Dunn

PRELIMINARY AMENDMENT

30 Sir:

35 This preliminary amendment is submitted in response to the Advisory Action dated January 22, 2004 in the above-identified United States Patent Application. A list of pending claims is provided herewith for the convenience of the Examiner, and starts on page 2 of this paper. The remarks begin on page 10 of this paper.

The Application is amended as follows:

- Claims 30, 51, 52, 54 and 55 are amended.

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